

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NALCO COMPANY,)	
a Delaware corporation,)	
)	
Plaintiff/Counter-Defendant,)	
)	Case No. 07 C 6293
v.)	
)	Judge William T. Hart
ENVIRO TECH CHEMICAL SERVICES,)	Magistrate Judge Susan E. Cox
INC., a California corporation,)	
)	
Defendant/Counter-Plaintiff.)	

JOINT MOTION TO EXTEND DISCOVERY

Plaintiff Nalco Company (“Nalco”) and Defendant Enviro Tech Chemical Services, Inc. (“Enviro Tech”), jointly and respectfully request that the Court extend the time for written discovery to October 30, 2008. In support of this motion, the parties state as follows:

1. In its January 16, 2008 Order, this Court held that written discovery be completed by April 30, 2008. At the status hearing on that date, the Court stated that written discovery should be completed before depositions have begun.

2. At the April 16, 2008 status conference, this Court extended the written discovery deadline to June 30, 2008 and then subsequently, at the June 18, 2008 status conference, extended the written discovery deadline to August 30, 2008. While all the initial document productions and discovery responses have been completed far in advance of the August 30, 2008 written discovery cutoff, rather than begin depositions, the parties seek an additional two months to continue to fully review the documents, supplement the discovery responses and documents and further consider and discuss potentially narrowing the issues. In addition, the parties are still waiting on supplemental discovery responses from a third party Albermarle Corporation. These discovery responses are critical to major issues such as dates of inventions relating to the

technology and patents at issue in this case and include information critical to have before depositions are begun.

3. While the parties have and continue to conduct discovery in the most efficient manner possible, the additional time is also necessary because the main counsel for Defendant, Enviro Tech had some significant unexpected surgery in May and July and is currently undergoing treatment for breast cancer. While counsel for Enviro Tech does not expect the medical treatment to impede the parties from completing written discovery in the additional two months, it had slowed down some of the review of the critical documents in this case.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the Court extend the time for written discovery to October 30, 2008.

ENVIRO TECH CHEMICAL SERVICES,
INC.

NALCO COMPANY

By: s/ Suzanne M. Wallman

By: s/ Joseph H. Herron

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CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2008, I electronically filed the foregoing **JOINT MOTION TO EXTEND DISCOVERY** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

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s/ Suzanne M. Wallman
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